

State of Alaska FY2008 Governor's Operating Budget

Department of Public Safety Alaska Bureau of Wildlife Enforcement Component Budget Summary

Component: Alaska Bureau of Wildlife Enforcement

Contribution to Department's Mission

Preserve public peace; protect life, property, and resources.

Core Services

The purpose of the Alaska Bureau of Wildlife Enforcement (ABWE) is to protect state fish and game resources by a combination of uniformed trooper patrols, covert investigations, and educational and public awareness programs. In addition, ABWE is the Division of Alaska State Troopers' bureau with primary responsibility to provide statewide boating safety education and enforcement.

ABWE provides a trooper presence in remote areas of Alaska where little or no other law enforcement exists. While patrolling a complex array of sport, commercial, personal use, or subsistence fisheries, and commercial, sport, or subsistence hunting seasons, ABWE troopers are fully commissioned Alaska State Troopers who independently recognize and act upon many other public safety emergencies, enforcement matters, and concerns.

ABWE performs wildlife enforcement patrols and investigations throughout Alaska. The bureau:

Performs primary police service in many remote communities.

- Performs wildlife law enforcement patrols and investigations throughout Alaska's 586,000 square miles of landmass, 36,000 miles of coastline, and 336,000 square miles of expanded federal jurisdiction in the Bering Sea.
- Provides boating safety education and enforcement.
- Participates in search and rescue missions statewide.
- Investigates and apprehends criminal offenders.
- Maintains thirty-five ABWE posts strategically located throughout Alaska to assure optimum trooper presence and coverage. The bureau is composed of five distinct geographical regions. Southeastern Region covers Southeast Alaska with the headquarters located in Juneau and posts in Petersburg, Klawock, Haines, Hoonah, Sitka, Ketchikan, and Wrangell. Mat-Su Region covers Southcentral Alaska with the headquarters located in Palmer and posts in Anchorage, Glennallen, Mat-Su West, and Talkeetna. Southwestern Region headquarters are located in Kodiak with posts in King Salmon, Iliamna, Dillingham, and Dutch Harbor. The Kenai-Prince William Sound Region headquarters are located in Soldotna with posts in Girdwood, Anchor Point, Seward, Valdez, and Cordova. The Northern Region headquarters are located in Fairbanks with posts in Galena, Coldfoot, Delta Junction, Tok, Cantwell, Nome, Bethel, Aniak, McGrath, and St. Mary's.

FY2008 Resources Allocated to Achieve Results

FY2008 Component Budget: \$17,380,400

Personnel:

Full time	119
Part time	16
Total	135

Key Component Challenges

Alaska's coastline of 36,000 miles represents 40 percent of the nation's coastline and almost 89 percent of the Pacific states' coastline. ABWE's patrol area is unrivaled by the remaining states, and is the equivalent in distance from the Carolinas to California and Texas to the Great Lakes. Each ABWE field trooper has to cover, on average, over 11,151 square miles of land mass, coastline, and waterway.

ABWE continues to operate at a minimally acceptable enforcement level. Many areas of the state are not patrolled or are only occasionally patrolled. Only with the support of the Department of Public Safety marine enforcement section and its fleet of 17 vessels ranging from 25' to 156', and the department's aircraft section with its compliment of patrol aircraft, can the ABWE core mission be effectively administered. Having the skilled personnel and providing the proper training to conduct these unique patrols is increasingly more challenging.

Resource user license purchases in Alaska had a slight drop in sales from FY2005 as indicated in the Department of Fish and Game's statistics sale of licenses. In FY2005, 697,002 sport and commercial fish licenses were sold with a total generated net sale of \$23.6 million and in FY2006, 665,391 licenses sold with a net sale of \$24.5 million.

The challenge to ABWE is to provide at least adequate enforcement of fish and wildlife laws with existing resources. Because of Alaska's vast land mass, the challenge of having a full staffing of 85 ABWE troopers monitor 665,391 licensed resource users is a staggering 7,828 to 1 ratio.

Significant Changes in Results to be Delivered in FY2008

The *P/V Enforcer* will undergo a \$1 million dollar construction project to address stability issues.

All Public Safety Technician II (PST) positions funded by the Joint Enforcement Agreement (JEA) with National Marine Fisheries Service (NMFS) have been filled. PST's in the dockside monitoring and compliance-checking program for commercial fisheries have been strategically placed throughout Alaska to assist in monitoring and gathering data from commercial fishers landing their federal catch in Alaska ports. Violations of both federal and state regulations are documented and follow-up enforcement action taken by either NMFS agents or an Alaska State Trooper. The overall intent of this program is to create an incentive environment for regulation compliance as well as allow the field troopers and NMFS agents to concentrate on other enforcement activities.

The establishment of the department's pilot training program has been a positive step in keeping ABWE pilot positions filled. The second phase of the program will increase our pilot pool to ensure we have qualified pilots to fill ABWE posts with assigned aircraft.

Major Component Accomplishments in 2006

Alaska Bureau of Wildlife Enforcement conducted targeted enforcement programs in the Bristol Bay commercial salmon fishery, crab rationalization fisheries in the Bering Sea and Bristol Bay, the Yukon River commercial king salmon fishery, and the Southeast sac roe herring fishery. A variety of big game programs were implemented to monitor the harvesting of moose, sheep, and brown and black bear in the regions of Southeast, Interior, Alaska Peninsula, Kotzebue, and the Brooks Range. The total number of wildlife violations detected increased from 5,457 in FY2005 to 6,412 in FY2006. The number of patrol related violations detected increased from 4,805 in FY2005 to 5,423 FY2006.

During FY2006, ABWE troopers were at sea a total of 1,056 days on the various vessels, and spent 5,763 hours conducting resource patrols, search and rescues, and other department missions with the aircraft fleet.

The following are a list of just a few examples of the type and severity of the resource violations the ABWE troopers have investigated this fiscal year:

Ketchikan ABWE troopers learned of an illegal commercial shrimp boat that was catching and processing shrimp illegally. Troopers seized 5,000 lbs. of illegal shrimp. Additional investigations discovered another 21,000 pounds of shrimp in Bellingham Washington. National Marine Fisheries (NMFS) presented the case to U.S. Attorney's Office for prosecution under the Lacey Act and for health and safety violations. The value of the seized product is between \$175,000 and \$250,000.

Cordova ABWE troopers investigated a Texas hunter on eight counts of unlawful acts by a guide. Three of the charges were for guiding outside of his licensed district, two counts for providing false information on brown bear sealing certificates, and three counts for failing to submit hunt reports. He was fined a total of \$7,200 with \$3,200 suspended.

St Mary's ABWE troopers conducted a winter moose program on the lower Yukon River. Between December 27, 2005 and January 10, 2006, state aircraft and snow machines were used to make 400 public contacts. During those contacts, 27 game citations and 31 written warnings were issued, and 10 investigations for either taking cow moose or calves during a closed season or waste of meat were undertaken. A total of 17 villages were visited. Additionally six

arrest warrants were served, seven summons including three sex offender registration summons were issued, and six alcohol related incidents were investigated resulting in the seizure of 14 bottles of alcohol.

Klawock ABWE troopers began an investigation into the illegal sale of herring spawn on kelp. Subjects caught nearly 6,000 pounds of herring spawn on kelp with a value of \$48,000. Troopers discovered these fishermen failed to file fish tickets with the Alaska Department of Fish and Game and sold the product to a company in California. The purchase price for the product was \$5 over the normal price of \$3 per pound. The product was shipped to Seattle where it was processed and sent to Japan. Troopers have finished the investigation and have charged each fisherman with multiple misdemeanor counts. Troopers will be seeking forfeiture of the value of the product.

In FY2006 during a spring bear patrol in Southeast, ABWE troopers on the 69' patrol vessel *Enforcer* patrolled the communities of Wrangell, Petersburg, Angoon, Port Snettisham, Kake, Port Protection, Craig, and Klawock. A total 37 citations were issued during this patrol for violations such as guiding without contracts, fail to affix non-resident locking tag on big game, unlawful transportation of game, and fail to salvage bear meat. Additionally, two grizzly bears were seized from a residency investigation discovered while contacting hunter in the field. During the patrol, the troopers logged 1,104 miles in skiffs.

Dillingham/Kodiak ABWE troopers investigated and charged a big game guide with reckless endangerment, hindering lawful hunting, and failure to salvage game. In addition, the troopers arrested him on 10 counts of felony assault. It was reported by several hunters that this big game guide used his aircraft to dive at hunters and camps, chase one pilot in the air, drive game away from hunters, and that he failed to salvage a moose killed by one of his clients. He was remanded at the Dillingham jail and was released after he posted \$20,000.

Kodiak troopers investigated a husband and wife for unlawful big game transporter services. They had been illegally providing big game guiding and outfitter services to their transporter clients when they remained in the field with clients, supervised the activity of clients, and transported non-resident alien hunters who were required to have a big game guide. After being convicted the husband was required to serve 30 days in jail with one year suspended, pay \$8,000 in fines, and lose his guide license for two years. This investigation spanned over four years.

ABWE troopers conducted the Bristol Bay salmon enforcement program between June 20 and July 15, 2006. Eighteen troopers and 16 civilians participated along with patrol vessels *Stimson*, *Woldstad*, and *Kvichak*, and six aircraft (3 piper cubs, R44 helicopter, Cessna-185, and Caravan) for a total of 303.7 aircraft patrol hours. The enforcement effort resulted in 5,154 contacts, 417 warnings, and 303 citations ranging from commercial fishing in closed waters, closed period, and illegal anchoring or grounding of gear. One fisherman had violated on so many occasions his vessel was seized.

On May 8, 2006, the *P/V Stimson*, while approximately 12 miles east of Dutch Harbor, noticed something odd floating in the water about a mile away. It was an overturned small vessel with a person stranded on top of the hull. The skipper immediately launched the skiff with a rescue team. The victim was rescued from the capsized boat and treated for severe hypothermia. The victim had been exposed to the elements for 12 hours. The U.S. Coast Guard unsuccessfully searched for the other crewman missing from the capsized vessel.

Statutory and Regulatory Authority

DPS - Powers and duties of department (AS 44.41.020)
State Troopers (AS 18.65.010 - AS 18.65.110)
Police Protection (AS 18.65.010 - AS 18.65.790)
Law enforcement duties (AS 18.65.010 - AS 18.65.086)
Controlled Substances (AS 11.71.010 - AS 11.71.900)
Judicial Services (AS 22.20.100 - AS 22.20.140)
Prisoner Transportation (AS 33.30.071 and AS 33.30.081)
Search & Rescue (AS 18.60.120 - AS 18.60.175)
Village Public Safety Officer Definition (AS 01.10.060(c)(7)(C))
VPSO Program (AS 18.65.670)
VPSO Regulations (13 AAC 96.010-900)
Concealed Handgun Permits (AS 18.65.700)
Security Guard Licensing (AS 18.65.400 - AS 18.65.410)
Sex Offender Registration (AS 12.63.010 - AS 12.63.100)
Central Registry of Sex Offenders (AS 18.65.087)
Department to assist other agencies (AS 18.65.090)

Document and disseminate information regarding homicides (AS 44.41.040)
Document and investigate missing persons (AS 18.65.610)
Investigate fires resulting from crimes (AS 18.70.030)
Investigate sexual assault and child exploitation (AS 18.65.086)
DUI Forfeiture Requirements (AS 28.35.036-.037)
DPS DNA collection and registration requirements (AS 44.41.035)
Duty of Law Enforcement to Provide VCCB information (AS 18.67.175)
Rights of Crime Victims to be notified orally and in writing by Law Enforcement (AS 12.61.010)
Aeronautics (AS 02)
Criminal (AS 11)
Environment (AS 46)
Fish & Game (AS 16)
Fish & Game (5 AAC)
Guide/Outfitting (12 AAC)
Guide/Outfitting (AS 08)
Health & Safety (AS 18)
Limited Entry (20 AAC)
State Government (AS 44)
Training (13 AAC 85)
Training (AS 44.41.020(a))

Contact Information

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Alaska Bureau of Wildlife Enforcement Component Financial Summary

All dollars shown in thousands

	FY2006 Actuals	FY2007 Management Plan	FY2008 Governor
Non-Formula Program:			
Component Expenditures:			
71000 Personal Services	10,237.4	12,023.3	14,756.7
72000 Travel	149.4	136.5	167.5
73000 Services	1,768.4	1,748.6	1,934.0
74000 Commodities	253.4	222.2	243.3
75000 Capital Outlay	0.9	9.9	278.9
77000 Grants, Benefits	0.0	0.0	0.0
78000 Miscellaneous	0.0	0.0	0.0
Expenditure Totals	12,409.5	14,140.5	17,380.4
Funding Sources:			
1004 General Fund Receipts	11,105.7	12,641.1	15,717.6
1007 Inter-Agency Receipts	199.8	228.4	228.6
1061 Capital Improvement Project Receipts	624.9	1,271.0	1,434.2
1134 Fish and Game Criminal Fines and Penalties	479.1	0.0	0.0
Funding Totals	12,409.5	14,140.5	17,380.4

Estimated Revenue Collections

Description	Master Revenue Account	FY2006 Actuals	FY2007 Management Plan	FY2008 Governor
Unrestricted Revenues				
None.		0.0	0.0	0.0
Unrestricted Total		0.0	0.0	0.0
Restricted Revenues				
Interagency Receipts	51015	199.8	228.4	228.6
Fish and Game Fund	51045	479.1	0.0	0.0
Capital Improvement Project Receipts	51200	624.9	1,271.0	1,434.2
Restricted Total		1,303.8	1,499.4	1,662.8
Total Estimated Revenues		1,303.8	1,499.4	1,662.8

**Summary of Component Budget Changes
From FY2007 Management Plan to FY2008 Governor**

All dollars shown in thousands

	<u>General Funds</u>	<u>Federal Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
FY2007 Management Plan	12,641.1	0.0	1,499.4	14,140.5
Adjustments which will continue current level of service:				
-Transfer Funds from AST Detachments for Increased Personal Services Costs	175.0	0.0	0.0	175.0
-FY 08 Wage and Health Insurance Increases for Troopers and Airport Security	253.9	0.0	6.6	260.5
Proposed budget increases:				
-Five Additional ABWE State Troopers for Wildlife & Fishery Enforcement	1,058.9	0.0	0.0	1,058.9
-FY 08 Retirement Systems Rate Increases	1,588.7	0.0	156.8	1,745.5
FY2008 Governor	15,717.6	0.0	1,662.8	17,380.4

**Alaska Bureau of Wildlife Enforcement
Personal Services Information**

Authorized Positions			Personal Services Costs	
	<u>FY2007</u> <u>Management</u> <u>Plan</u>	<u>FY2008</u> <u>Governor</u>		
Full-time	114	119	Annual Salaries	7,545,803
Part-time	16	16	COLA	321,397
Nonpermanent	0	0	Premium Pay	1,172,627
			Annual Benefits	6,554,965
			<i>Less 6.98% Vacancy Factor</i>	(1,088,092)
			Lump Sum Premium Pay	250,000
Totals	130	135	Total Personal Services	14,756,700

Position Classification Summary

Job Class Title	Anchorage	Fairbanks	Juneau	Others	Total
Administrative Assistant	1	0	1	0	2
Administrative Clerk II	0	0	0	1	1
Administrative Clerk III	1	1	0	6	8
Captain, AK State Troopers	1	0	0	0	1
Lieutenant, AK State Troopers	1	1	1	3	6
Public Safety Technician I	1	1	1	13	16
Public Safety Technician II	1	1	1	16	19
Sergeant PS	0	1	1	10	12
State Trooper	3	5	3	59	70
Totals	9	10	8	108	135